



BellSouth Telecommunications, Inc.
Legal Department
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Patrick W. Turner
General Counsel-South Carolina

803 401 2900
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July 21, 2006

The Honorable Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition Requesting the
Commission's Intervention in NANPA NXX Code Assignments
Docket No.

Dear Mr. Terreni:

Enclosed for filing are an original and one (1) copy of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Clover Rate Center in the above-captioned matter. This document is an exact duplicate of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is fluid and cursive, with the first name "Patrick" and last name "Turner" clearly visible.

Patrick W. Turner

PWT/sgm
Attachment
DM5 642264

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S)
PETITION REQUESTING THE COMMISSION'S) DOCKET NO. _____
INTERVENTION IN NANPA NXX CODE)
ASSIGNMENTS)

PETITION FOR REVIEW OF NXX CODE DENIAL
IN THE CLOVER RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 803 area code. The denial that is the subject of this Petition impacts BellSouth customer Clover School District.

In support of this petition BellSouth states:

1. BellSouth is a telecommunications utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Clover exchange.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).
3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104"). The goal

of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶ 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a "rate center" basis from a switch basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and

it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about June 15, 2006, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of a one-thousand number block (preferably in the 8000 –8999 range. These numbers will allow the School District to install a telephone in every classroom, give each teacher his or her own telephone number, and enhance the School District's ability to tie all of its schools together electronically. As BellSouth does not have existing numbers to meet the customer's request, one new consecutive thousand number block with the same NXX (and preferably in the NXX-8000 to NXX-8999 range) is needed. Exhibit A is a copy of the customer's letter received by BellSouth on July 17, 2006.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Clover Rate Center had an MTE of 36.18 months and a utilization of 70.21% (Exhibit B).

10. Thereafter, also on or about June 26, 2006, NANPA's Central Office Code Administration denied BellSouth's request because BellSouth had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied BellSouth's code requests despite the fact that BellSouth does not have adequate numbering resources needed to satisfy this customer's demands in the Clover Rate Center. NANPA's response is also included as part of Exhibit B.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the thousand number block needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.¹ NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

13. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to

¹ BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." Id.

14. BellSouth requests that the Commission reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth's request for numbering resources would not materially impact exhaustion of the remaining NXXs available in the 803 area code.

15. This Commission (see Docket No. 2002-185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

WHEREFORE, BellSouth requests that the Commission:

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide a consecutive thousand number block for the Clover, South Carolina Rate Center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 21st day of July, 2006.

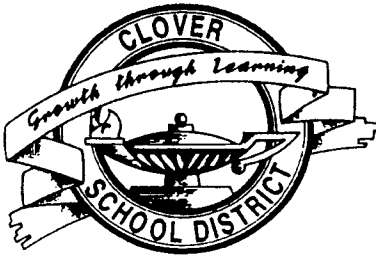


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(803) 401-2900

ATTORNEY FOR BELL SOUTH
TELECOMMUNICATIONS, INC

EXHIBIT A

7/11/06



Clover School District

Barbara S. Martin, Service Consultant
BellSouth Business Systems
Suite 500, 401 Brookfield Pkwy.
Greenville, SC 29607

To Whom It May Concern at BST:

Recently, Clover School District (York 2) was part of an effort by BellSouth to have all the School Districts in S.C. equipped with MetroE Service (ME). As part of our effort to install a phone in every classroom where each teacher has his/her own number and advance the capability of the ME to tie all of our Schools together, we need 1000 contiguous numbers to be distributed as necessary among the Schools that make up our District (although the ME will allow them to keep their own individual main numbers to defray confusion for the public).

We have been told that our serving Central Office does not have a 1000 contiguous range available. Therefore, if possible we would like to request that you approach the Line & Number Administration from which BellSouth draws numbers, and ask them to find and allocate the described group from another CO for our use. We would like to request the range of XXX-8000 to XXX-8999 if possible.

As you are probably aware, we try to handle major projects during the summer break, and finding out that this process could take as much as 120 days has dealt quite a blow to our current plans. Therefore, any assistance you can give us in this matter would be greatly appreciated.

Sincerely

Bill Lowe
Clover School District (York 2)
803-222-7191
blowe@clover.k12.sc.us
fax 893-222-8010

EXHIBIT B

Pooling Administration System

 phillip.g.appling@bridge.bellsouth.com (SP)

[Sign Out](#)

Part 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name **BELLSOUTH SO BELL**
Headquarters Address: **3535 COLONNADE PKWY**
City: **BIRMINGHAM**
State: **AL**
Zip: **35444**

Contact Name **Mr PHILLIP G APPLING**
Contact Address **3535 COLONNADE PKWY**
City **BIRMINGHAM**
Zip **35444**

State **AL**

Telephone **(205) 968-8701**

Fax **(205) 977-3013**

E-mail **phillip.appling@bellsouth.com**

Pooling Administrator ⁱ:

Contact Name **Ms Dora Wirth**
Contact Address **1800 Sutter St. Ste. 780**
City **Concord**
Zip **94520**

State **CA**

Telephone **(925) 363-8706**

Fax **(925) 363-7684**

E-mail **dora.wirth@neustar.com**

1.2 General Information

LRN Needed ⁱⁱ **No**

NPA **803**

LATA * **422**

OCN ⁱⁱⁱ * **9417-BELLSOUTH SO BELL**

Parent Company OCN * **9417**

Number of Thousands-
Blocks Requested **1**

Switch Identification
(Switching Identity/POI) **CLVRSCESRS1**

City or Wire
Center Name

Rate Center^v **CLOVER**

Rate Center
Sub Zone

1.3 Dates

Date of Application^{vi} **Thursday, June 15, 2006**

Requested Block Effective Date 16 Jul 2006

Request Expedited Treatment ☒ Yes ☐ No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider * Incumbent Local Exchange Carrier (ILEC)

b) Primary type of service Blocks to be used for * Wireline

c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool.

NOTE: The blocks available list shows blocks that are available at the time a request is submitted. These same blocks may not be available at the time the request is processed. Therefore, it is recommended that you provide additional block preferences in the event those blocks are not available.

803-810-3

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

N/A

1.5 Type of Request

Initial block for rate center ☐ Yes

Growth block for rate center ☒ Yes

Change block **N/A**
Disconnect block **N/A**

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines (ATIS-0300066)

Continue

Pooling Administration System

 phillip.g.appling@bridge.bellsouth.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date **Thursday, June 15, 2006**

OCN **9417**

Company Name **BELLSOUTH SO BELL**

Rate Center **CLOVER**

List all Codes NPA(s)-NXXs and Blocks
NPA(s)-NXX-X(s)



Name of Block Applicant **Mr PHILLIP G APPLING**

Title **FACILITY ASSIGNMENT SPCL**

Telephone Number **(205) 968-8701**

Fax Number **(205) 977-3013**

E-Mail **phillip.appling@bellsouth.com**

A. Available Numbers *

B. Assigned Numbers *

C. Total Numbering Resources *

D. Quantity of numbers activated in the
past 90 days and excluded from the

List excluded Code(s) or Block(s)

[illegible]

Month 1	42	Month 2	59
Month 3	69	Month 4	71
Month 5	36	Month 6	90

Month 1	61	Month 2	61
Month 3	61	Month 4	61
Month 5	61	Month 6	61
Month 7	61	Month 8	61
Month 9	61	Month 10	61
Month 11	61	Month 12	61

H. Months to Exhaust ⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	2213	36.279

Explanation

Block needed for specific customer request

¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

³Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁴To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).

⁵Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Continue

Pooling Administration System

 phillip.g.appling@bridge.bellsouth.com (SP)

[Sign Out](#)

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Your utilization calculates to **70.205 percent**. The FCC requires a utilization of **75.000 percent**.

Select One Option and Submit

- ☒ Return to the Months To Exhaust Form
- ☐ Discard all the information provided for the request and start with a fresh Part 1A
- ☐ State Waiver Option

Submit

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
)
)

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Review of NXX Code Denial in the Clover Rate Center to be served by the method indicated below upon the following this July 21, 2006:

Thomas C. Foley
NPA Relief Planner – Eastern Region NANPA
NeuStar – NANPA
820 Riverbend Blvd.
Longwood, FL 32779-2327
(U. S. Mail)

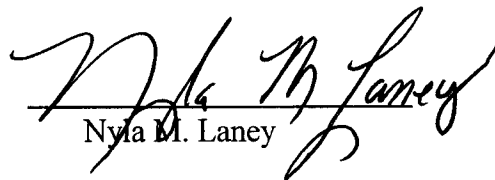
Ms. Kimberly Miller
Regulatory Policy Attorney
NeuStar
2000 M Street, NW, Suite 600
Washington, DC 20036-3328
(U. S. Mail)

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Nyla M. Laney

642263